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## S. V. RY. PLANNING TO CIRCUMVENT HARRIMAN

### May Buy Steel Rails in Germany for Ship- ment by Water to Portland.—Same Trouble in Hood River.

Harriman or no Harriman, freeze-out or thaw-out, boycott or no boycott, the Sumpter Valley railroad's extension from Tipton to John Day may yet be built, according to Chief Engineer Joseph West, who says that the company is just now awaiting future developments, at the same time getting figures from tramp steamers in German waters, with the intent of buying steel rails abroad, shipping them by water to Portland, thence to the Blue Mountains over the O. R. & N., which will be such a short haul by rail that Harriman's high rates will cut but little figure.

It will be remembered that a short time ago Harriman notified the Sumpter Valley company that hereafter a regular rate on steel rail shipments over his lines would be charged. Prior to that time a sort of "courtesy rate" had been in effect. Regular rates made rail shipments impossible and the John Day extension, which was to have been rushed to completion next spring, was perforce abandoned. The S. V. company cancelled all its orders for steel rails and gloom settled over eastern Oregon.

It was the popular belief that Harriman's bit-up of rates on Sumpter Valley rails was the first move in a definite plan to quench the little road and later to buy it in, broaden its gauge to standard, extend into the interior and make the system of value as a feeder to the main line of the O. R. & N. All of which is exactly what the people of eastern Oregon greatly desire, but fear was entertained that Harriman would take his time in extending further into the interior, it being the firmly established policy of the O. R. & N. to keep down the development of eastern Oregon until the fertile webfoot transportation field is worked to a ripe red limit.

In an interview with a paper in Ogden, Mr. West's home town, the chief engineer of the Sumpter Valley said that because there is no particular hurry about the propos-

tion, his company will not place an order abroad for steel rails for some time, and in the meantime will await developments, which means that the S. V. has not yet given up its attempts to prevail upon Harriman to re-establish the old "courtesy rate."

"There are now a number of tramp steamers in German waters, waiting for cargoes," said Mr. West, "and we could buy our steel there, meet the tariff charges and save money over the schedule now presented."

Mr. West further explained that the steel could be shipped around the Horn or by the Suez canal to Portland, thence to Baker City over but a short stretch of Harriman's lines.

The Sumpter Valley is having the same trouble in Hood River, where the company is building a standard gauge road to haul logs for the Hood river branch sawmill of the Oregon Lumber company. Harriman also demanded full rates for hauling rails for this piece of road. He was circumvented by the use of northern roads to Portland, thence by water haul to Hood river.

Mr. West's plan to circumvent Harriman in the John Day extension looks good on paper, but he is reckoning without his host. If Harriman does not desire the construction of the John Day line, he will find other means to prevent it. He holds plenty other cards, as well as a couple of cold decks.

Viewed cursorily, there seems not the shadow of a possibility that the John Day extension will be built next spring, or the next.

#### Changes in Mining Laws.

The convention of the California Miners' association, which closed on the 8th instant, at San Francisco, California, was one of the most important in the history of that organization, the discussion of the several phases of the mining industry in that state and the numerous technical pa-

pers read were interesting and instructive. Among the many interesting topics which came before the convention was that of the proposed revision of the mining law, as explained at length by A. E. Belcher.

In this connection the most important is probably the contemplated repeal of the extralateral right law and the substitution of a square location law with all rights bounded by the claim lines drawn vertically downward in its stead. If, however, it is the intention, as is suggested by Mr. Belcher, to make provision for the claim owner to take an additional side location at some later period when he has discovered that his ore dips into adjoining ground and he desires to follow it, complications result at once, and it were possibly better to continue with the old extralateral right law, as it is, than to start a new crop of litigation, which will certainly be the outcome of indiscreet tampering with the existing law.

Mexico has apparently settled this problem satisfactorily by permitting the location of as many claims as the locator cares to pay taxes on. No discovery of "mineral-bearing rock in place" is required, but he must pay the uniform price demanded by the government. This idea might be adopted in the United States with some necessary modifications. If we are to have square locations and no extralateral rights, let it be simply that and nothing more, for any attempt to make exceptions will involve the laws in a new period of litigation which would last for years.

There is no longer need for experiment. The action and effect of the present laws are well known. There are precedents and decisions for almost every case to cover existing mining claims. Other countries, where no extralateral rights obtain, have furnished sufficient data upon which to base a new code, when desirable. The only thing in connection, some think, is, perhaps, the number that one person may take. That this is material is not apparent, as the poor miner will not take more than he can pay for or represent, and the rich corporation would buy all it wanted anyhow.

Under existing laws one person may take as many claims as he cares to, and the same thing applies to corporations. The fear that the corporations would absorb all the valuable ground is without precedent.—Mining and Scientific Press.

Don Willard, general manager of the Little Cracker Gold Mining & Milling company's properties near Bourne, visited the mine yesterday in company with Tom C. Gray. A force of fifteen men are employed, one crew by contract on a crosscut tunnel, and another crew in an adit level, where fine ore from a wide payshoot is being extracted for shipment to the Sumpter smelter.

## IMPERIAL'S SHIPMENTS

A. L. McEwen, general manager of the Imperial mine, is in Sumpter today. He feels elated over the December record of the Imperial, which, during the month has shipped a total of 217 tons of ore to the Sumpter smelter, grading from \$40 to \$100 per ton. This high grade ore is being taken from the new shoot opened in the main Imperial vein. Development in the Eagle vein is also being carried on.

## COMMISSIONER'S ORDER ON RESERVE GRAZING

The order issued by the Interior department, addressed to Forest Supervisor Terrill, of Sumpter, allowing cattle to graze on the Baker City water shed reserve, regarding which so much has been said, is very restricted in its provisions. Before any stock is allowed to enter the reserve, a permit must be secured from Supervisor Terrill. The following is the text of the order, signed by Commissioner W. A. Richards:

"On December 10, 1904, the Department decided to allow not more than 400 head of cattle and horses to be owned by settlers around and near the borders of the Baker City Forest Reserve, to graze therein from June 1st to October 15, 1905, and that all stock shall be prohibited from that part of the reserve lying south of the divide between Pine and Goodrich creeks on the east side of the summit of the range of mountains which furnish water to Baker City, comprising about nineteen sections of land; also that part of the reserve covering the headwaters of Pole and Wind creeks on the west side of the mountains, which furnish water to Sumpter, comprising about three sections of land.

"By prior decision all sheep are prohibited in the reserve."

#### Will Start Dixie Mill.

Zoeth Houser, who was at one time United States marshal for Oregon, but who is now owner of the Dixie mine at Quartzburg, as well as being a heavy stockholder in the Standard, is in town today. He spent the holidays at his old home in Pendleton, and is en route to the mines at Quartzburg. He expects to have the Dixie stamp mill running by January 1st.